

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Thomas MÜLLER

Group Art Unit: Unknown

Serial No : Not Yet Assigned

Examiner: Unknown

Filed : Concurrently Herewith

For : STORAGE DEVICE WITH VARIABLE STORAGE CAPACITY

INFORMATION DISCLOSURE STATEMENT

Commissioner of Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the duty of disclosure set forth in 37 CFR 1.56 and in accordance with the provisions of 37 CFR 1.97 and 1.98, the following information is brought to the attention of the Examiner for consideration during examination of the instant application.

(1) WO 02/085144.

Applicant also submits herewith a copy of the European Search Report (in German) dated July 17, 2003 and conducted in European Application No. 03 09 0031 of which the instant application claims priority. In particular the European Examiner cited:

(2) EP 0 738 478. This document is cited as an "X" category document (i.e., a document of particular relevance when considered alone). Paragraphs 0010 through 0016

and figures 1 and 2 are indicated by the European Examiner as being relevant to claims 1 and 2 of the European Application. This document is also cited as a "Y" category document (i.e., a document of special significance in connection with another publication of the same category). Paragraphs 0010 through 0016 and figures 1 and 2 are indicated by the European Examiner as being relevant to claims 8-18 and 15 of the European Application;

(3) DE 43 02 745. This document is cited as a "Y" category document. Col. 4, lines 9-21 is indicated by the European Examiner as being relevant to claim 8 of the European Application;

(4) US 6,422,380. This document is cited as a "Y" category document. Col. 5, lines 16-28, figure 1 and col. 6, lines 9-30 are indicated by the European Examiner as being relevant to claims 9, 10 and 15 of the European Application;

(5) US 5,361,888 is cited in the annex of the search report as a family member document of DE 43 02 745; and

(6) WO 99/44446 is cited in the annex of the search report as a family member document of US 6,422,380.

Applicant also submits herewith a copy of a German Office Action (in German with an English translation thereof) dated August 6, 2002 and conducted in European Application No. EP 03 09 0031 of which the instant application claims priority. The German Office Action discusses the above-noted documents (2) - (4).

P24853.A01

Copies of the above-listed documents including the European Search Report, the German Office Action in German, and an English translation thereof, are enclosed as is a completed copy of the PTO-1449 Form listing these documents. Accordingly, the Examiner is requested to consider these documents and to indicate such consideration by returning a signed and initialed copy of the PTO-1449 Form with the first official communication.

Applicant notes that this Information Disclosure Statement is being filed within three months of the filing date of a US application, i.e., it is being filed concurrently therewith. Accordingly, consideration of the enclosed document is required under 37 C.F.R. 1.97(b)(1).

Should the Examiner have any further comments or questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
Thomas MÜLLER



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February 2, 2004
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*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.